

or Highways and Motor Traffic Committee to act as chairman of the said joint committee and that the said joint committee be and it is hereby authorized to form rules as to procedure as it sees fit, subject to the rules of the Senate and the present rules as set up by the Committee of the Whole as to compensation of witnesses, employees, etc.

We further recommend that said joint committee by a majority vote may continue or conclude its hearings for whatever period of time in its judgment is necessary, provided, however that a report of said joint committee shall be made on or before the last three days of the regular session of the Forty-third Legislature, at which time the Senate shall determine whether to discharge the committee or to continue said committee as it sees fit.

Senator Purl: Now, I leave it to Brother Senators. I don't ask you to adopt this because you have got the Pace resolution, but I ask the Senate to judge me and to judge that report and see whether or not by that report I have any stinger in my system, or any venom in my system, or would try to whitewash anything, or try to bring any kind of hearing to an abrupt close. I talked with one of the Board of Managers during the noon hour as to whether or not we should let the Banking Committee, or the Highways and Motor Traffic Committee see if anybody had any more evidence to offer. I am not going to take up any more time. I have come up here to the front and listened to every word of the testimony, and I leave it to my Senators whether or not my conduct, whether or not my efforts and fair play, in give and take, or study of measures, having a part in them as I see fit, of attending these meetings, will show whether or not I am worthy to be a member of this Senate and to be treated with proper respect and courtesy,—for a Senator to say just because Jim Ferguson, or the Governor of this State, sends a message, that I am so biased that I cannot see any merit in it. I remind you, Senator from Bell, that I served during the administration when she was Governor before. I have seen governors come and have seen governors go. I served under

Pat Neff. I served under Dan Moody. I served under Mrs. Ferguson. I served under Ross Sterling. I am now serving under Mrs. Ferguson again, and I challenge anyone to take the record and show where I have cast a vote not for the best interest of Texas as I see it. I might have made mistakes, but I am not up here impugning motives. I have nothing to do with closing the hearing here today, or making the motion, but I did draw this up believing it would be the fair way to determine it in view of the fact that we have so many measures in committee. I give it for what it is worth, but I hope the Senator from Bell County will be a little bit more temperate, and not just because he has lost out for him to single us out and say we are prejudiced against somebody.

(Thereupon the vote was taken on the motion by the Senator from Tyler, which carried.)

Senator Martin: I want the record to show I vote for the motion with a reservation with reference to the last paragraph.

Senator Parr: I want to vote for that like the Senator from Hill,—a reservation with reference to that last paragraph.

Senator Russek: I vote Aye with the same reservation as the Senator from Hill.

Senator Sanderford: I pair with Senator Neal. I vote No and she votes Aye.

Senator Stone: I have the same reservation as the Senator from Hill.

THIRTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
February 28, 1933.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Walter Woodul.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Holbrook.
Blackert.	Hopkins.
Collie.	Hornsby.
Cousins.	Martin.
DeBerry.	Moore.
Duggan.	Murphy.
Fellbaum.	Neal.
Greer.	Oneal.

Pace.	Russek.
Parr.	Sanderford.
Patton.	Small.
Poage.	Stone.
Purl.	Woodruff.
Rawlings.	Woodul.
Redditt.	Woodward.
Regan.	

Prayer by the Rev. Leon Latimer of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 329, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas and authorizing payment of said miscellaneous claims on taking effect of this Act; and declaring an emergency."

Read and referred to Committee on Finance.

By Senators Redditt, Patton and Moore:

S. B. No. 330, A bill to be entitled "An Act to provide for the calling of an election to be held on the first Monday of November, 1933, at which election delegates are to be selected to a convention to be held in Austin, Texas, in the House of Representatives on the first Monday in December, 1933, after said date of election, to pass on an amendment to the Constitution of the United States for ratification by conventions in the several states; prescribing the duties of the elective officers of the State with reference to calling such election and selecting of delegates; prescribing who shall be qualified to vote at such elections and conventions; prescribing the manner, qualifications and method by which delegates shall be elected to attend such convention; providing the form of the ballot to be used at such election; prescribing certain duties of the public officials of this State with reference to the conduct of such election and convention; appropriating the sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be necessary to defray the expenses of delegates and the incidentals in holding the convention as

provided in this law; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senators Redditt and Cousins:

S. B. No. 331, A bill to be entitled "An Act to amend Article 6479 of the Revised Civil Statutes of Texas, as amended by Chapter 198 of the Acts of the First Called Session of the Thirty-ninth Legislature, relating to passenger service on railroads by providing for a relaxation by the Railroad Commission of Texas, under prescribed conditions, of the requirement of one train each day, Sundays excepted."

Read and referred to the Committee on State Affairs.

By Senator Redditt:

S. B. No. 332, A bill to be entitled "An Act relating to privileged matters in communication in suits for slander, and further providing and regulating when said privilege is lost, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Oneal:

S. B. No. 333, A bill to be entitled "An Act to repeal Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Chapter 2 of the Acts of the Second Called Session of the Forty-second Legislature, and declaring an emergency."

Read and referred to Committee on Agricultural Affairs.

By Senator Pace:

S. B. No. 334, A bill to be entitled "An Act to amend Articles 1111, 1112, 1113 and 1114 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the Fortieth Legislature found in Chapter 194, page 276, of the Regular Session of the Fortieth Legislature and as amended by Chapter 32 Acts of the Third Called Session of the Forty-second Legislature at page 96 of the Acts of the Third Called Session of the Forty-second Legislature providing for the character of repairs and extensions necessary to render efficient service which shall be a first lien and charge upon the incomes of the particular utility which is repaired or extended, and providing that bonds issued under the provision of this Act may be approved by the Attorney General and registered by the Comptroller and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Cousins (by request):

S. B. No. 335, A bill to be entitled "An Act to repeal Articles 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, Chapter 20, Revised Civil Statutes of the State of Texas of 1925, and Chapter 156, page 269, Acts of the Regular Session of the Thirty-fourth Legislature, and to re-enact twelve new articles to be numbered Articles 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, authorizing and regulating certain classes of indemnity contracts, empowering corporations to make such contracts and fixing certain fees and providing penalties for violation thereof, providing for service of citation and procedure in case of insolvency and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Martin (by request):

S. B. No. 336, A bill to be entitled "An Act to amend Article 838 of Chapter 8, Title 22, Revised Statutes 1925, requiring all counties, cities, towns, school districts and improvement districts to file annual reports with the State Comptroller relating to their finances, debts, obligations, sinking funds, taxable values and other resources; adding to said chapter five new articles to be known as Articles 838-a, 838-b, 838-c, 838-d and 838-e relating to the filing of such reports, the duty of the State Comptroller in respect thereto, defining the terms 'finance officer' and 'public corporation' or 'quasi public corporation' as used in this Act; amending Articles 839, 840 and 841, relating to the disbursement of interest and sinking funds created to pay bond and warrant debts, prescribing penalty for failure to make the reports required in this Act, prescribing penalty for diversion of interest and sinking funds created to pay bond and warrant debts; prescribing duties of Comptroller, Attorney General, and district or county attorneys in event reports are not filed, or interest and sinking funds are misapplied; adding to said chapter a new article to be known as Article 841-a requiring certified copy of the annual report of each public corporation or quasi public corporation named herein to be filed

with each bond record whenever submitted to the Attorney General for approval by any such corporation; enacting provisions in and incident to the subject and purpose of this Act; repealing Chapter 279 of the General Laws of the Forty-second Legislature at its Regular Session in 1931; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 337, A bill to be entitled "An Act to authorize the State Highway Commission of Texas to construct, operate and maintain, out of funds available for that purpose, highway bridges over and across the Intracoastal Waterway of Louisiana and Texas; and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

By Senator Moore:

S. B. No. 338, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes, of 1925, as amended by Chapter 153, General and Special Laws of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and amending Article 6221, Revised Civil Statutes of 1925, as amended by Chapter 5, General Laws of the Second Called Session of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Moore:

S. B. No. 339, A bill to be entitled "An Act providing for a decision to be entered by the Supreme Court or the Courts of Civil Appeals within a period of one hundred and eighty days from the date of submission of causes to said courts for decision and providing no salaries shall be paid to said judges unless the decisions are rendered within the said one hundred and eighty days, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Moore:

S. B. No. 340, A bill to be entitled "An Act amending Article 2688 of

the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, H. B. No. 904, Chapter 357, General Laws of the Regular Session of the Forty-second Legislature (same likewise appearing printed as H. B. No. 904, Chapter 212, page 426, Special Laws of the Regular Session of the Forty-second Legislature) and as further amended by Acts, 1932, H. B. No. 51, Chapter 21, pages 47 and 48, of the Third Called Session of the Forty-second Legislature, establishing the office of county superintendent of public instruction and providing that the commissioners court of every county which has three thousand (3000) scholastic population or more, as shown by the preceding scholastic census, shall, at the next general election after 1934, and likewise each four years thereafter, provide for the election of a county superintendent of public instruction to serve for a term of four (4) years; etc., and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Woodul:

S. B. No. 341, A bill to be entitled "An Act to amend Article 2530, Chapter 1, Title 47, Revised Statutes, making further provision for the safekeeping of securities deposited with the State Depository Board, as collateral to secure deposits made by said Board, in State and/or reserve depositories, and authorizing said Board to rent safety deposit boxes in some bank or banks located in the City of Austin, and declaring an emergency."

Read and referred to Committee on Banks and Banking.

By Senator Moore:

S. B. No. 342, A bill to be entitled "An Act to amend Article 1119 of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-second Legislature, regular session, General Laws, Chapter 226, page 380, so as to authorize the governing body of cities and towns of over 500 population to prescribe rates; such rates not to yield more than ten per cent (10%) on actual costs of physical properties, equipment and betterments; and declaring an emergency."

Read and referred to Committee on Towns and City Corporations.

By Senator Hopkins:

S. B. No. 343, A bill to be entitled "An Act relating to depositories of the public funds of counties, political subdivisions, improvement districts, school districts, cities, towns and villages in this State; prescribing procedure for the selection of such depositories, requiring issuance and publication of notices and advertisement for bids; requiring each bank so bidding to attach to its bid sworn statement of its condition on the first of the month prior to the date of such bid; etc., and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Moore:

S. B. No. 344, A bill to be entitled "An Act giving county school board the power to divide the county into one or more districts, not to exceed sixteen; and declaring the kind of district; providing for trustees of a district so created; providing for transportation of pupils; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Small:

S. B. No. 345, A bill to be entitled "An Act authorizing any county, political subdivision or defined district of a county to fund, refund, compromise or settle in whole or in part its valid outstanding bonded indebtedness or judgments recovered on such bonded indebtedness, both principal and accrued interest, incurred under the provisions of Section 52 of Article 3 of the Constitution and laws of this State enacted pursuant thereto for the purpose of constructing, maintaining and operating macadamized, graveled, or paved roads and turnpikes, or in aid thereof, by the issuance of funding or refunding bonds, without a vote of the taxpayers, and which may be exchanged for such outstanding bonds or indebtedness, or sold and the proceeds applied to purchase or pay such outstanding bonds or other indebtedness; that before issuing such bonds, the governing body shall, by an order entered on the minutes, recite the amount of bonds or other indebtedness outstanding, and the amount of any bonds to be issued, their denominations, when they shall mature, to be dated, and how to be signed and registered, where they are to be made payable, and the rate

of interest they shall bear; provided for the levy of a tax to pay the interest and provide a sinking fund to pay the bonds at maturity; providing that such bonds shall be examined and certified by the Attorney General, and registered by the Comptroller; and to remain in the custody of the commissioners court until exchanged or sold; requiring the old bonds or other evidences of indebtedness to be cancelled and surrendered upon exchange therefor, or payment thereof; and, providing that this Act shall be cumulative of all other laws, and not intended to repeal any law unless in direct conflict herewith, and declaring an emergency."

Read and referred to Committee on State Affairs.

Bremont Civics Class Granted Privileges of the Floor.

On motion of Senator Stone, the civics class of Bremont high school were granted the privileges of the floor.

Motion to Set Special Order.

On motion of Senator Greer, S. B. No. 195 (Congressional Re-districting) was set as special order for Thursday morning immediately following the morning call.

Bills Signed.

The Chair, President Pro Tem. Walter Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

S. B. No. 30.	S. C. R. No. 20.
S. B. No. 116.	H. C. R. No. 22.
S. B. No. 136.	H. B. No. 415.
S. B. No. 141.	H. B. No. 15.
S. B. No. 155.	H. B. No. 18.

S. C. R. No. 22.

Senator Small sent up the following resolution:

Whereas, On or about November 27, 1930, while Mr. S. E. Harris and family of Borger, Texas, were traveling eastward on a county road near White Deer, they were involved in an accident at the intersection of said county road with State Highway No. 88, said accident being alleged to have been caused by a drop-off of about twenty-four inches at the point

where the county road came into Highway No. 88 from the west, which drop-off had been caused by some work that had been done by State Highway Department employees; and

Whereas, This allegedly dangerous condition being unknown to the said S. E. Harris, the sudden and unexpected drop caused him to lose control of his automobile, causing same to strike the embankment on the opposite side of the State highway, resulting in serious injuries to Mr. and Mrs. S. E. Harris, including the loss of Mr. Harris' left eye, and severe and painful bruises and lacerations to both of them; and

Whereas, As a result of these injuries, it was necessary to incur large expenditures for medical and hospital attention for Mr. and Mrs. Harris; and

Whereas, Because of the loss of his eye, Mr. Harris is unable to follow his trade which is that of welder, and is seriously handicapped in earning a livelihood; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said S. E. Harris be, and he is hereby granted permission to bring suit against the State of Texas in a court of competent jurisdiction in order to determine what compensation, if any, he is entitled to receive by reason of the injuries to himself and his wife, and that in case such suit be filed, service of citation or other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as is made and provided in civil cases.

SMALL.

Read and referred to Committee on State Highways and Motor Traffic.

S. C. R. No. 23.

Senator Murphy sent up the following resolution:

Whereas, On or about October 20, 1931, O. P. Bateman, of Cooke County, Texas, was seriously injured while in the employ of the State of the City of Gainesville, Texas, and, while engaged in work on State Highway No. 40 about one mile west of the City of Gainesville, Texas, and,

Whereas, The State of Texas, through its Highway Department, is

not permitted under the Constitution and laws of this State to pay the said O. P. Bateman his damages for said injuries; and

Whereas, The said O. P. Bateman desires to bring suit against the State of Texas to recover such damages; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said O. P. Bateman be, and he is hereby, granted permission to bring suit against the State of Texas and/or against the State Highway Department of Texas, in a court of competent jurisdiction in order to determine the compensation, if any, he is entitled to recover by reason of his said injuries, and, be it further

Resolved, That service of citation or other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as in civil cases.

The crowded condition of the calendar and the importance of the subject matter of the resolution hereinabove set forth create an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read upon three several days in each House, and the said rule is hereby suspended, and this resolution shall take effect and be in force from and after its passage, and it is so enacted.

MURPHY.

Read and referred to Committee on State Highways and Motor Traffic.

House Bill No. 505.

The Chair laid before the Senate by unanimous consent the following bill:

By Mr. Scarborough:

H. B. No. 505, A bill to be entitled "An Act amending Section 1, Chapter 213, Acts of the Regular Session, Forty-second Legislature, and declaring an emergency." (Relating to compensation of county commissioner.)

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 505 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Motion to Print.

Senator Small moved to print S. B. No. 131 on minority report and spread the motion on the Journal.

Special Committee Report.

Senator Small sent up the following special committee report:

Committee Room,
Austin, Texas, Feb. 27, 1933.
Hon. Edgar E. Witt, President of the Senate.

The Committee of the Whole Senate created for the purpose of

considering a message from the Governor pertaining to the activities of the State Highway Commission, begs leave to report that we have actively pursued the inquiry and investigation along the lines suggested by the Governor, and after having heard all available evidence in connection therewith, beg leave to report as follows:

That from the evidence offered and as a result of the investigation made to date, said committee is unable and unwilling to criticize the members of the Highway Commission of the State of Texas for their activities in connection with the subject matter of the communication from the Governor. In this connection, the Committee of the Whole is mindful of the fact that the Governor of the State of Texas, in her communication, has not made charges but has simply tendered these matters to the Senate for its consideration.

SMALL, Chairman.

The report was read.

Senator Small moved to adopt the report. The motion prevailed.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 28, 1933.

Hon. Walter Woodul, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

H. C. R. No. 39, Extension of welcome by the membership of the Forty-third Legislature to the Pan-American Medical Association which meets in Dallas, Texas, March 21, 22, 23, 24 and 25, 1933.

The House has passed the following bills:

H. B. No. 48, A bill to be entitled "An Act amending Article 7046, of the Revised Civil Statutes of the State of Texas for 1925, providing that poll tax of one dollar (\$1) only, shall be collected on every person between the ages of 21 and 60 years, making certain exceptions; and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay; and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act defining the offense of embezzlement by directors, officers,

agents, and attorneys at law or in fact, of incorporated companies or institutions, joint stock companies or voluntary associations, or money or property belonging to persons, firms, and corporations, other than the principal or employer of such director, etc., and declaring an emergency."

H. B. No. 54, A bill to be entitled "An Act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract, and its insertion in the contract and call for bids for the contract, etc., and declaring an emergency."

H. B. No. 207, A bill to be entitled "An Act to amend Section 4, of Chapter 22, of the General Laws of the Thirty-ninth Legislature, Regular Session, 1925, and declaring an emergency."

H. B. No. 595, A bill to be entitled "An Act to regulate fishing in Caddo Lake; repealing all laws or parts of laws in conflict; and declaring an emergency."

House Bill No. 168.

The Chair laid before the Senate as pending business, the following bill:

By Mr. Harman:

H. B. No. 168, A bill to be entitled "An Act making appropriations to pay salaries to judges, and the support and maintenance of the Judicial Department of the State Government for the two-year period beginning September 1, 1933, and ending August 31, 1935; and declaring an emergency."

The question recurred upon the pending amendment to the amendment (by Senator Woodul).

Executive Session Postponed.

By request of Senator Purl, unanimous consent was granted to postpone the executive session from 11 a. m. to 11:10 a. m. today.

House Bill No. 168.

The pending amendment to the amendment was lost by the following vote:

Yeas—14.

Cousins.	Patton.
Fellbaum.	Purl.
Hopkins.	Rawlings.
Martin.	Redditt.
Neal.	Russek.
Pace.	Small.
Parr.	Woodul.

Nays—16.

Beck.	Murphy.
Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Regan.
Duggan.	Sanderford.
Holbrook.	Stone.
Hornsby.	Woodruff.
Moore.	Woodward.

Absent.

Greer.

House Bills Referred.

H. B. No. 48, referred to Committee on State Affairs.

H. B. No. 50, referred to Committee on Criminal Jurisprudence.

H. B. No. 54, referred to Committee on Labor.

H. B. No. 207, referred to Committee on Towns and City Corporations.

H. B. No. 595, referred to Committee on Game and Fish.

Executive Session.

At 11:10 o'clock a. m., the Chair announced that the hour for the executive session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

The Secretary of the Senate was directed by the Senate to inform the Governor that the information requested of the Senate in the Governor's letter of February 23rd, concerning the vote upon the confirmation of Hon. F. L. Denison was privileged under the rules of the Senate, the vote having been taken in executive session, and therefore could not be divulged.

Adjournment.

On motion of Senator Beck, the Senate, at 2 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 27, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 248, Relative to making an emergency appropriation for the Live Stock Sanitary Commission.

Have have the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 28, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 252, A bill to be entitled "An Act requiring moving picture machines or projectors operating in this State to be provided with equipment to be approved by the State Fire Insurance Commissioner of Texas and the Underwriters Laboratories of the National Board of Fire Underwriters, affording the utmost possible means of automatically and instantly preventing fires resulting from the explosion or ignition of motion picture films, and such equipment shall be constantly maintained in an efficient working condition; providing a penalty for the violation of this Act and declaring an emergency."

Have have the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PURL, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 27, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 131, A bill to be entitled "An Act defining the terms 'Common Carrier', 'Power Unit', 'Light Engine', 'Passenger Train', 'Freight Train', 'Motor Car', 'Engineer', 'Fireman', 'Conductor', and 'Brakeman'; defining the term 'Competent Employee' and applying such term to an

engineer, a fireman, conductor and brakeman; prohibiting any common carrier from running over its road or part of road outside of the yard limit, any motor car, passenger train, freight train, light engine, or self-propelled machine with less than a full crew of competent employees; requiring a crew of two persons on a motor car when carrying passengers only and three persons when carrying passengers and baggage, express or mail; requiring a full crew of four persons on a passenger train of more than one and less than five units and a crew of five persons for a passenger train with five or more units; requiring a full crew of five persons on freight trains with less than fifty cars, and a crew of six persons on a freight train with fifty or more cars; requiring a full crew of three persons on a light engine unless such engine comes within the term of a motor car permitting a crew of two persons; requiring a crew of two persons on all self-propelled machines using tracks in meeting and passing trains; exempting roads less than twenty miles in length; providing that the Act shall not apply in case of disability in any train crew on the road between terminals; providing a penalty for the violation of the Act, suit to recover penalty at the instance of the Attorney General or county or district attorney, and providing venue for said suit; repealing all laws in conflict and declaring an emergency."

Have have the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PURL, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 27, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your Committee on Labor, to whom was referred S. B. No. 131,

Have have the same under consideration, and beg leave to differ with the majority of the committee and report it back to the Senate with the recommendation that it do pass.

SMALL,
POAGE.

Committee Room,
Austin, Texas, Feb. 27, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 505, A bill to be entitled "An Act amending Section 1, Chapter 213, Acts of the Regular Session of the 42nd Legislature, and declaring an emergency."

Have have the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FELLBAUM, Chairman.

THIRTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
March 1, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Beck. Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Woodward:

S. B. No. 346, A bill to be entitled "An Act to amend Chapter 45, H. B. 1002, enacted in the Regular Session of the Forty-second Legislature, which Act became effective April 9,